

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SEAN MOONEY AND JONATHAN
BONNETTE, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

ASHFORD, INC.,

Defendant.

Case No. 3:24-cv-00279-K

**UNOPPOSED MOTION FOR PRELIMINARY
APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiffs Sean Mooney and Jonathan Bonnette (“Plaintiffs”), on behalf of themselves and all others similarly situated, respectfully move this Court to:

1. Preliminarily approve the Settlement described in the “Settlement Agreement” between Plaintiffs and Defendant Ashford, Inc. (“Defendant” or “Ashford,” and, together with Plaintiffs, the “Parties”), attached in the accompanying Appendix under **Tab 1** to Plaintiffs’ Brief in Support of this Motion (“Brief”), and the accompanying exhibits, including the Short Form Notice, the Long Form Notice, the Claim Form, the [Proposed] Order Granting Preliminary Approval of Class Action Settlement (“[Proposed] Preliminary Approval Order”), and the [Proposed] Final Order and Judgment Granting Final Approval of Class Action Settlement (the “[Proposed] Final Order and Judgment”), attached to the Settlement Agreement as **Exhibits A through E**, as fair, reasonable, and adequate;
2. Provisionally certify the Settlement Class pursuant to Federal Rule of Civil Procedure 23 for settlement purposes only;

3. Approve the Notice program set forth in the Settlement Agreement, including the use of Notices substantially similar to those attached as **Exhibits C and D** to the Settlement Agreement;
4. Designate Plaintiffs Sean Mooney and Jonathan Bonnette as Class Representatives;
5. Designate David Lietz of Milberg Coleman Bryson Phillips Grossman, PLLC and Kevin Laukaitis of Laukaitis Law LLC as Settlement Class Counsel, and Joe Kendall as Texas Liaison Counsel;
6. Approve the retention of Kroll Settlement Administration LLC (“Kroll”) as Settlement Administrator;
7. Approve the procedures set forth in Section 5 of the Settlement Agreement for Settlement Class Members to object to the Settlement;
8. Approve the use of a Claim Form substantially similar to that attached as **Exhibit A** to the Settlement Agreement;
9. Stay the Action or otherwise adjourn litigation deadlines pending Final Approval of the Settlement;
10. Stay and/or enjoin, pending Final Approval of the Settlement, any actions brought by Settlement Class Members concerning Released Claims; and
11. Schedule a Final Fairness Hearing for a time and date convenient for the Court, at which the Court will conduct an inquiry into the fairness, reasonableness, and adequacy of the Settlement, final approval of the Settlement, and consideration of Settlement Class Counsel’s Motion for Award of Fees, Costs, Expenses, and Service Awards for the Class Representatives.

This Motion is based upon: (1) this Motion; (2) the Brief; (3) the Joint Declaration of Counsel in Support of this Motion, attached under **Tab 2** to the Brief within the Appendix; (4)

the Settlement Agreement; (5) the Notices of Class Action Settlement (both Short and Long Notice); (6) the Claim Form; (7) the [Proposed] Preliminary Approval Order; (8) the [Proposed] Final Order and Judgment; (9) the records, pleadings, and papers filed in this action; and (10) upon such other documentary and oral evidence or argument as may be presented to the Court at or prior to the hearing of this Motion.

Date: January 31, 2025

Respectfully Submitted,

/s/ Joe Kendall

Joe Kendall

Texas Bar No. 11260700

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Counsel for Plaintiffs and the Putative Class

CERTIFICATION OF CONFERENCE

I, David Lietz, Proposed Class Counsel and Counsel for Plaintiffs, hereby aver pursuant to Local Rule 7.1(a)-(b) that I have conferred with the Defendant about the relief sought in this motion, and Defendant agreed not to oppose the relief sought.

/s/ David Lietz
David Lietz

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2025, I electronically filed the foregoing with the Clerk of the Court of the above-captioned court by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

/s/ Joe Kendall
Joe Kendall